



LEONIDAS RALPH MECHAM
Director

CLARENCE A. LEE, JR.
Associate Director

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WASHINGTON, D.C. 20544

August 14, 1998

Honorable Janet Reno
Attorney General of the
United States
Washington, D.C. 20530

Dear Madam Attorney General:

It has recently come to my attention that there is some confusion in the courts concerning the applicability of attorney admission fees to federal agency attorneys. I am enclosing for your information a copy of a memorandum that was recently sent to all United States clerks of court informing them that all federal government attorneys should not be subject to an admission fee for appearing in federal court.

I thought that your office should be made aware of the memorandum and I trust that it will help to clarify the situation for both the clerks of court and attorneys employed by federal agencies.

Sincerely,

Leonidas Ralph Mecham
Director

Enclosure

cc: Honorable Frank W. Hunger
Honorable Donna A. Bucella

EXHIBIT A



F-12

LEONIDAS RALPH MECHAM
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CLARENCE A. LEE, JR.
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August 10, 1998

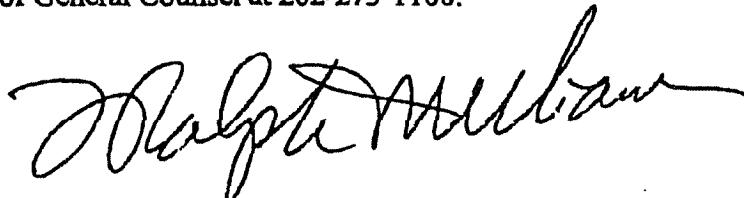
MEMORANDUM TO ALL CLERKS, UNITED STATES COURTS

SUBJECT: Admission Fees for Federal Government Attorneys (INFORMATION)

It has recently come to the attention of the Administrative Office that federal agency attorneys are frequently subjected to admission fees to appear before various federal courts. Because there is confusion in this area, it seems desirable to clarify Judicial Conference policy with regard to charging federal government attorneys admission fees. The Judicial Conference policy, as stated in the introduction to the Miscellaneous Fee Schedule for the District Courts at 28 U.S.C. §1914, provides that "[n]o fees are to be charged for services rendered on behalf of the United States, with the exception of those specifically prescribed in items 2, 4, and 14" (relating to search of records, copying fees, and public access).

The attorney admission fee found at item 11 of the district court fee schedule is not one of the exceptions listed above. Accordingly, federal government attorneys, whether they are Department of Justice attorneys, or assistant United States attorneys, or employed by any other federal agency, should not be subject to an admission fee for appearing in federal court, inasmuch as they are appearing on behalf of the United States. Some federal courts charge a *pro hac vice* fee that is not included in the miscellaneous fee schedules. In keeping with the spirit of Judicial Conference policy, however, *pro hac vice* fees should not be charged to federal government attorneys. These attorneys often practice before federal courts in many districts across the United States. Requiring them to pay *pro hac vice* fees imposes a financial burden on them because they cannot be reimbursed by their agencies for work-associated admission fees.

If you have any questions about admission fees, please contact the Court Administration Policy Staff at 202-273-1539 or the Office of General Counsel at 202-273-1100.



Leonidas Ralph Mecham